

# **EXHIBIT 25**

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO

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Gerardo Campos, et al.,	:	
	:	
Plaintiffs,	:	
	:	
vs.	:	Case No.
	:	3:12-cv-01529-ADC
Safety-Kleen Systems,	:	
Inc., et al.,	:	
	:	
Defendants.	:	

- - -

DEPOSITION OF PETER G. SHIELDS, M.D.

- - -

Friday, May 9, 2014  
9:19 o'clock a.m.  
Crabbe, Brown & James  
500 South Front Street  
Suite 1200  
Columbus, Ohio 43215

- - -

ANN FORD  
REGISTERED PROFESSIONAL REPORTER

- - -

1 APPEARANCES:

2 MICHAEL A. ROBB, Attorney at Law  
3 (Appearing Telephonically)  
4 Clark, Robb, Mason, Coulombe,  
5 Buschman & Charbonnet, P.A.  
6 7501 Wiles Road  
7 Building 3, Suite 207  
8 Coral Springs, Florida 33067  
9 (954) 753-3902  
10 mrobb@clarkrobb.com

11 On behalf of the Plaintiffs.

12 HEATHER J. FORGEY, Attorney at Law  
13 Jones, Carr, McGoldrick  
14 Premier Place  
15 5910 North Central Expressway  
16 Suite 1700  
17 Dallas, Texas 75206  
18 (214) 828-9200  
19 (214) 828-9229  
20 Heather.Forgey@JCMFirm.com

21 On behalf of the Defendants Safety-Kleen  
22 Systems, Inc. and Safety-Kleen  
23 Corporation.

24 FRANCISCO COLÓN, Attorney at Law  
25 (Appearing Telephonically)  
Colón & Colón, PSC  
173 O'Neill Street  
San Juan, Puerto Rico 00918-2404  
(787) 758-6060  
(787) 753-1656 fax  
fecolon@colonlaw.com

On behalf of the Defendant Makita  
U.S.A., Inc.

- - -

FRIDAY MORNING SESSION  
May 9, 2014  
9:19 o'clock a.m.

- - -

STIPULATIONS

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It is stipulated by and between counsel  
for the respective parties herein that this  
deposition of PETER G. SHIELDS, M.D., a Witness  
herein, called by the Plaintiffs under the statute,  
may be taken at this time and reduced to writing in  
stenotypy by the Notary, whose notes may thereafter  
be transcribed out of the presence of the witness;  
and that proof of the official character and  
qualifications of the Notary is waived.

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## I N D E X

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WITNESS	PAGE
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PETER G. SHIELDS, M.D.	
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Examination	6
(By Mr. Robb)	

Examination	123
(By Ms. Forgey)	

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EXHIBITS	MARKED
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Exhibit No. 1	6
(Cleveland Clinic Website Info on Diseases & Conditions, Leukemia)	

Exhibit No. 2	6
(Johns Hopkins Website Info on Leukemia Risk Factors)	

Exhibit No. 3	6
(Children's Leukemia Research Assoc, Inc. Website Info by Peter H. Wiernick, M.D.)	

Exhibit No. 4	6
(Cancer Council Website Info on Causes of chronic myeloid leukaemia)	

Exhibit No. 5	6
(Montana Cancer Control Section Quarterly Surveillance Report Re: Leukemia, Lymphoma, and Myeloma)	

Exhibit No. 6	6
(Document on Leukaemia)	

Exhibit No. 7	6
(University of Michigan Document by Dale Bixby, M.D., Ph.D., 2009)	

Exhibit No. 8	6
(Search Health24 Website Info on Leukaemia)	

I N D E X

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EXHIBITS	MARKED
Exhibit No. 9 (UC Davis Comprehensive Cancer Center Website Info on Leukemia)	6
Exhibit No. 10 (Irish Cancer Society Website Info on Causes and Prevention of chronic myeloid leukaemia (CML))	6
Exhibit No. 11 (Cancer Research UK Website Info on chronic myeloid leukaemia (CML) risks and causes)	6
Exhibit No. 12 (Objections by Defendants Safety-Kleen)	129

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P R O C E E D I N G S

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And, thereupon, Exhibit Nos. 1 through 11  
were premarked for purposes of identification.

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PETER G. SHIELDS, M.D.,  
being by me first duly sworn, as hereinafter  
certified, testifies and says as follows:

EXAMINATION

BY MR. ROBB:

**Q. Good morning, Doctor. Please state your  
name and your professional address, please.**

A. Peter Gary Shields. My professional  
address, although not here as part of my professional  
activities for Ohio State University, is the James  
Cancer Center, Ohio State University Comprehensive  
Cancer Center, The Ohio State University, 300 West  
10th Street, Columbus, Ohio 43210.

**Q. Doctor, do you believe Benzene causes  
leukemia?**

A. Which type of leukemia?

**Q. Does it cause leukemia in general, Doctor?**

A. No. It causes a specific type of leukemia  
called acute myelogenous leukemia.

**Q. Okay. Have you testified in the past in**

1 **cases where Safety-Kleen has retained you in AML**  
2 **cases to that very fact?**

3 A. I don't recall. I've done work for  
4 Safety-Kleen, whether they've gone to testifying or  
5 not, I just don't remember either way.

6 **Q. Okay. Well, you're aware of the fact**  
7 **though, aren't you, from your discussions with**  
8 **Safety-Kleen personnel that they take the position**  
9 **that their products do not cause any type of**  
10 **leukemia; you take issue with that though, correct?**

11 A. I'm not sure where you're getting that  
12 from.

13 MS. FORGEY: And I'll object to the form.

14 BY MR. ROBB:

15 **Q. Well, listen to my question, Doctor.**  
16 **You believe that Benzene causes AML,**  
17 **right?**

18 A. So I guess you're raising a very good  
19 point. That's correct. As my report clearly states,  
20 it causes AML in specific and sufficient doses.

21 **Q. Okay. And in this particular case, you**  
22 **agree you're not a chemist, correct?**

23 A. That's correct, although I had a major in  
24 biochemistry.

25 **Q. I understand. But you've in the past**



1 **subjected to fumes from this product, correct?**

2 MS. FORGEY: Objection. Form.

3 A. I'll accept that.

4 **Q. Okay. All right. You will concede, will**  
5 **you not, that Safety-Kleen 105 does contain elements**  
6 **of Benzene?**

7 A. It will contain some molecules of Benzene  
8 at trivial levels that are unimportant to risk of  
9 disease.

10 **Q. Well, again, Doctor, you don't know of any**  
11 **studies that have been done on Safety-Kleen's**  
12 **solvent -- Virgin Solvent 105 that gives you a number**  
13 **as to how much Benzene is in that product, correct?**

14 MS. FORGEY: Objection. Form.

15 A. Wait. I think I have seen documents of  
16 testing of Safety-Kleen 105.

17 **Q. I'm talking about Safety-Kleen Virgin**  
18 **Solvent 105 used in the same type of machines that my**  
19 **client was using at Makita and his other workplaces,**  
20 **have you seen one study that mirrors any of that?**

21 MS. FORGEY: Objection. Form.

22 A. I'm sorry. Are you asking me about  
23 Safety-Kleen that specifically went to your client's  
24 workplace?

25 **Q. Yes, sir.**